

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 001566

SIPDIS

USPACOM FOR FPA

E.O. 12958: DECL: 12/03/2013

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: ALLEGED COUP PLOTTERS SENTENCED TO DEATH

Classified By: COM CARMEN M. MARTINEZ for Reasons 1.5 (B,D)

[11.](#) (C) SUMMARY: According to Embassy sources, a secret SPDC court on November 28 sentenced to death nine persons, including a magazine editor and several individuals actively involved with opposition movements, for allegedly planning to assassinate regime leaders and bomb key government installations. The SPDC denied the accused individuals legal representation during their trials and has made no official announcement regarding their death sentences, fueling local speculation that the GOB is using trumped up charges to send a message to detractors and would-be supporters of regime change. END SUMMARY.

[12.](#) (C) According to Embassy sources, on November 28 a special court at Rangoon's Insein prison sentenced nine people to death on charges of treason under Section 122 of the Burmese Penal Code. In a late July sweep, military intelligence (MI) agents had arrested twelve individuals and accused them of being underground agents with connections to anti-SPDC exile groups and ethnic rebels. The nine members of the group sentenced to death were also accused of planning to assassinate SPDC leaders by planting bombs at five sites around Rangoon on Martyrs Day (July 19).

[13.](#) (C) Three individuals (Aung Lun, Myo Htwe, and Myo Chit) remain in detention without formal charges. The nine individuals sentenced to death (and brief bio information) are:

--Thet Zaw (AKA Zaw Thet Htwe): Chief editor of the sports magazine "First Eleven" and a former leader of the now-banned Democratic Party for New Society (DPNS).

--Naing Min Kyi (AKA Min Hyi): Member of the New Mon State Party (NMSP).

--Naing Yakkha (AKA Ne Win): Member of the NMSP youth wing.

--Than Tun: Student activist.

--Zar Naing Tun (AKA Phyu Lay).

--Shwe Manh (AKA Zayar Oo).

--Aye Myint: Attorney.

--Zaw Myo Htet: Attorney and active leader of Mon National League for Democracy (MNLD).

--Khabell (AKA Mya Sein): Sergeant with the Karen National Union (KNU).

[14.](#) (U) Under Burmese law, those sentenced to death can appeal their cases to the High Court (formerly known as the Supreme Court). As practiced under the current regime, the High Court will uphold the verdicts and refer them to the Head of State, SPDC Chairman Sr Gen Than Shwe. However, the Senior General has never made a decision on a death penalty case, effectively leaving the prisoners in perpetual death row limbo. Although there have been numerous death penalty cases in recent years (most recently, the high profile case of the son-in-law and grandchildren of former dictator Ne Win), the last person executed in Burma was army captain Ohn Kay Myint in the 1980s for planning a mutiny.

[15.](#) (C) COMMENT: In what has become an almost annual exercise, the SPDC arrests anti-SPDC activists and charges them with treason (in 2002, thirty were arrested during a single sweep). MI makes a special effort to publicly link the accused with exiled opposition groups to give the appearance that the NLD and other domestic political parties are guilty by association. While there are occasional signs of support for a violent overthrow of the regime, the SPDC has never held an open trial for alleged coup plotters or made available evidence of such plotting. The sports magazine editor sentenced to death in the latest secret trial, Zaw Thet Htwe, ran afoul of the SPDC this summer when he published articles on the GOB's mishandling of foreign-donated funds to promote soccer in Burma. END COMMENT.
Martinez